

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ICPEP, LLC,)	
)	
Plaintiff,)	
)	
v.)	No. 1:24-cv-01819-JRS-KMB
)	
SMC SPECIALTY FINANCE, LLC, et al.,)	
)	
Defendants.)	

**PRELIMINARY ORDER ON MOTION FOR RECONSIDERATION AND ORDER
SETTING REPLY BRIEF DEADLINE FOR MOTION TO DISMISS**

Pending before the Court is Defendants' Motion for Reconsideration. [Dkt. 26.] Through that motion, Defendants request that the Court reconsider a previous Order it prematurely issued that allowed Plaintiff ICPEP, LLC ("ICPEP") to take jurisdictional discovery regarding Defendants' pending Motion to Dismiss. [Dkt. 19.] Plaintiff opposes the Motion for Reconsideration, [dkt. 32], and Defendants filed a reply in support of the Motion, [dkt. 33].

The Court has reviewed the Parties' pending motions related to Defendants' Motion for Reconsideration and Plaintiff's underlying discovery request. After that review, the Court intends to grant Defendants' Motion for Reconsideration, such that Plaintiff will not be allowed to conduct discovery related to Defendants' Motion to Dismiss. Plaintiff has filed numerous other motions that implicate Defendants' Motion for Reconsideration, [dkt. 31; 36], and those motions have considerably complicated and slowed down the Court's review and ability to issue a full written decision on the pending Motion to Reconsider at this time.

Therefore, the Court now issues this preliminary order to avoid the case being delayed further since briefing on Defendants' pending Motion to Dismiss is currently stayed. [Dkt. 25 at 2.] The Court hereby **lifts** that briefing stay, such that Defendants' reply brief supporting its Motion

to Dismiss, [dkt. 8], shall be filed no later than **April 18, 2025**. A full ruling on the pending discovery motions is forthcoming and will be issued in due course. In the meantime, Defendants' Motion for Reconsideration, [dkt. 26], and the other motions related to this issue, [dkts. 31; 36], remain **UNDER ADVISEMENT**.

SO ORDERED.

Date: 3/28/2025



Kellie M. Barr
United States Magistrate Judge
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email